

**SUPREME COURT MINUTES
MONDAY, DECEMBER 13, 1999
SAN FRANCISCO, CALIFORNIA**

S083194 Senate of the State of California et al.,
Petitioners,
 v.
Bill Jones, as Secretary of State, etc. et al.,
Respondents;

Edward J. Costa,
Real Party in Interest.

Because we have concluded that Proposition 24 embraces more than one subject, article II, section 8(d), provides that the measure “may not be submitted to the electors” As past cases have explained, the language of this constitutional provision makes it clear that when an initiative measure violates the single-subject rule, severance is not an available remedy. (See, e.g., *CTLA*, supra, 200 Cal.App.3d 351, 361-362.) Under these circumstances, the California Constitution compels the court to preclude the submission of a multi-subject measure to the electorate.

A peremptory writ of mandate shall issue, directing respondents to refrain from taking any steps to place Proposition 24 on the March 7, 2000, election ballot or to include the measure in the ballot pamphlet.

In light of the time constraints under which the Secretary of State is required to act, the judgment is final forthwith. (See, e.g., *Assembly v. Deukmejian*, supra, 30, Cal.3d 638, 679; *Thompson v. Mellon* (1973) 9 Cal.3d 96, 106.)

George, C.J.

We Concur:

Mosk, J.

Baxter, J.

Werdegar, J.

Chin, J.

Dissenting Opinion by Kennard, J.

I Concur:

Brown, J.

S029384 People, Respondent

v.

Dannie Ray Hillhouse, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including January 14, 2000.

S033975 People, Respondent

v.

Michael Stephen Combs, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including February 4, 2000.

S034072 People, Respondent

v.

Robert Zane Curl, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including January 31, 2000, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S034473 People, Respondent

v.

Christian Antonio Monterroso, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including February 7, 2000.

S065934 In re Anderson Hawthorne

on

Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to and including January 24, 2000.

No further extensions of time will be granted.

S066681 In re Robert Stansbury
 on
 Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to and including January 28, 2000.

No further extensions of time are contemplated.

S069718 In re Melvin Turner
 on
 Habeas Corpus

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's informal response to the petition for writ of habeas corpus is extended to and including January 18, 2000.

S077350 Smith A. Ketchum III, Appellant
 v.
 John M. Moses, Respondent

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's reply brief on the merits is extended to and including January 14, 2000.

No further extensions of time will be granted.

S077866 People, Respondent
 v.
 Travis Simon, Jr., Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's answer brief on the merits is extended to and including December 17, 1999.

S080499 In re Raydale D. Hunter
 on
 Habeas Corpus

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response is extended to and including December 30, 1999.

S081969 People, Respondent

v.

Luis Amador, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's opening brief on the merits is extended to and including January 9, 2000.

S082261 Gilbert Dreyfuss et al., Appellants

v.

Union Bank of California, Respondent

On application of appellants and good cause appearing, it is ordered that the time to serve and file appellants' opening brief on the merits is extended to and including January 10, 2000.

S082325 People, Respondent

v.

Shamrock Foods Company, Appellant

On application of respondent and good cause appearing, it is hereby ordered that the time to serve and file the opening brief on the merits is extended to and including January 21, 2000.

S074326 Geoffrey H. Palmer et al., Appellants

v.

Truck Insurance Exchange et al., Respondents

The renewed application of Industrial Indemnity Companies for permission to file an amicus curiae brief in support of respondents is hereby denied.

S025880 People, Respondent

v.

Richard Louis Phillips, Appellant

"Appellant's Request That Oral Argument Be Set After 3 February 2000" is denied.

S083871 Anthony Fierro, Petitioner

v.

Los Angeles County Superior Court, Respondent

People, Real Party in Interest

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Seven, for consideration in light

of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition shall be denied.

S084086 Craig Henry Post, Petitioner

v.

Los Angeles County Superior Court, Respondent

People, Real Party in Interest

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition shall be denied.

S084176 Marco Antonio Samano, Petitioner

v.

Riverside County Superior Court, Respondent

People, Real Party in Interest

The above entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two.

2nd Dist. Suckow

B123197 v.

Republic Western Insurance Co.

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Seven to Division Four.

2nd Dist. McEldowney

B133237 v.

McEldowney

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division One to Division Four.

2nd Dist. Nippon Medical Clinic et al.

B133600 v.

Regents of the University of California et al.

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Four to Division One.

- Bar
Misc.
4186 In the Matter of the Application of the Committee of Bar Examiners
of the State of California for Admission of Attorneys
The written motion of the Committee of Bar Examiners that the
following named applicants, who have fulfilled the requirements for
admission to practice law in the State of California, be admitted to
the practice of law in this state is hereby granted, with permission to
the applicants to take the oath before a competent officer at another
time and place:
(LIST OF NAMES ATTACHED TO ORIGINAL ORDER)
- S079630 In re **James H. Zander** on Discipline
Having been notified by the State Bar that **James H. Zander**,
State Bar no. 54870, was deceased as of December 11, 1998, the
order of discipline filed August 18, 1999, is VACATED nunc pro
tunc.
- S081468 In re **John Daniel Bessey** on Discipline
Having been notified by the State Bar that **John Daniel Bessey**,
State Bar no. 38966, was deceased as of September 15, 1999, the
order accepting his voluntary resignation filed September 15, 1999,
is VACATED nunc pro tunc.
- S082581 In re **William Edgar Davis III** on Discipline
It is hereby ordered that **William Edgar Davis III**, State Bar No.
101641, be disbarred from the practice of law and that his name be
stricken from the roll of attorneys. He is also ordered to comply
with rule 955, California Rules of Court, and to perform the acts
specified in subdivisions (a) and (c) of that rule within 30 and 40
days, respectively, after the date this order is effective.* Costs are
awarded to the State.
*(See Business & Professions Code, § 6126, subd. (c).)
- S082586 In re **Bruce Clinton Hill** on Discipline
It is ordered that **Bruce Clinton Hill**, **State Bar no. 43427**, be
suspended from the practice of law for two years and until he has
shown proof satisfactory to the State Bar Court of his rehabilitation,
fitness to practice and learning and ability in the general law
pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for
Professional Misconduct, that execution of suspension be stayed,
and that he be placed on probation for two years on condition that he
be actually suspended for 60 days. He is also ordered to comply

with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation dated August 30, 1999. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

S082719 In re **Darryl Jerome Billups** on Discipline

It is ordered that **Darryl Jerome Billups**, State Bar No. 65216, be suspended from the practice of law for three years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including 20 months actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed August 17, 1999. Credit towards the period of actual suspension shall be given for the period of interim suspension which commenced on October 10, 1997 (*In re Young* (1989) 49 Cal.3d 257, 270). It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is greater. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and are payable in accordance with Bus. & Prof. Code section 6140.7.

S082720 In re **Bruce Allen Brown** on Discipline

It is ordered that **Bruce Allen Brown**, State Bar No. 140111, be suspended from the practice of law for three years, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for nine months and until he pays to Scott R. Baker, counsel for defendant Kate Baker Caroselli (or the Client Security Fund, if appropriate) the \$11,315.75 in sanctions prescribed in the Order Awarding Sanctions Against Bruce A. Brown Pursuant to Code Civ. Proc. §128.5, executed October 20, 1994, in the matter entitled *William Johnson, Nancy*

Johnson v. Kate Baker Caroselli, Los Angeles Superior Court case number YC 018272, plus 10% interest per annum from the effective date of this order, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel. He is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its decision filed August 26, 1999. If the period of actual suspension exceeds two years, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court on his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year of the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and payable in accordance with Bus. & Prof. Code section 6140.7.

*(See Business & Professions Code, § 6126, subd. (c).)

S083944

In the Matter of the Resignation of **Kevin Foster Schoneman**
A Member of the State Bar of California

The voluntary resignation of **Kevin Foster Schoneman, Bar #90889** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

